

12 FAM 430 MARINE SECURITY GUARD PROGRAM

12 FAM 431 AUTHORITIES

(TL:DS-39; 8-15-94)

a. 10 U.S.C. 5983 authorizes the assignment of Navy personnel to Foreign Service posts under the direct operational control of the chiefs of diplomatic missions or principal officers, or their designees, and provides the basic authority for the Memorandum of Agreement dated August 1, 1967, between the Department of State and Department of Defense (see 12 FAM 431 Exhibit 431A).

b. The Memorandum of Agreement (MOA) dated August 1, 1967, and cited in paragraph a of this section, authorizes the Department of State and the U.S. Marine Corps to develop, execute, and issue such policy instructions as may be required from time to time to implement their joint responsibilities in support of the Marine Security Guard Program.

c. The Memorandum of Agreement (MOA) dated March 29, 1994, between the Department of State and the U.S. Marine Corps delineates authorities, responsibilities, and other terms between the Marine Corps and the Department in support of the Marine Security Guard Program (see 12 FAM 431 Exhibit 431B).

12 FAM 432 PROGRAM MANAGEMENT

12 FAM 432.1 Chief, Marine Security Guard Branch (DS/OP/MSG)

(TL:DS-39; 8-15-94)

Under the supervision of the Deputy Director, Overseas Operations (DS/DSS/OP), the Chief, Marine Security Guard Branch (DS/OP/MSG), is responsible for the coordination and management of the Marine Security Guard (MSG) Program support. (See 1 FAM .)

12 FAM 432.2 Regional Security Officer (RSO)

(TL:DS-39; 8-15-94)

a. Under the authority of the chief of mission or principal officer, or designee, the RSO is the immediate operational supervisor of the MSG detachment for the Bureau of Diplomatic Security. This officer determines specific guard requirements and coordinates them with the Marine detachment and company

commanders and with the chief of mission or principal officer. The RSO coordinates any MSG program issues or requirements with DS/OP/MSG.

b. The RSO may on occasion delegate any aspect of the operational supervision of a MSG detachment to a deputy or an assistant RSO. Such a delegation will not diminish the RSO's overall MSG program responsibility.

c. The RSO guides, assists, and supports the post security officer (12 FAM 423.4) in executing the duties and responsibilities of supervising a detachment at a constituent post with no resident RSO. Since the RSO retains overall responsibility for the MSG program at such posts, that officer will determine which duties are delegated to the PSO (see 12 FAM 433).

12 FAM 432.3 U.S. Marine Corps (USMC)

(TL:DS-39; 8-15-94)

a. Marine Corps responsibilities concerning MSG Program support are provided to the Department in accordance with the most recent MOA (see 12 FAM 431 Exhibit 431B).

b. Upon arrival at their post of assignment, the detachment commander and individual MSGs are under the authority of the chief of mission or principal officer. The detachment commander will execute such instructions and orders, either written or oral, as the chief of mission (or principal officer or their designee) or the regional security officer issues within the parameters of the current MOA. The detachment commander reports directly to the RSO or PSO on operational matters which may adversely affect the security of the mission and on any matter adversely affecting the detachment.

12 FAM 433 RSO RESPONSIBILITIES

12 FAM 433.1 Program Supervision

(TL:DS-39; 8-15-94)

RSOs are responsible for the operational success of the MSG program abroad. They must actively support and supervise the MSG program by:

- (1) Attending and participating in the MSG's guard school;
- (2) Leading and supervising all contingency drills;
- (3) Conducting unannounced inspections of MSG posts;

(4) Involving themselves in all inspections and official visits by Marine officers to include acting as joint control officer for the visit, briefing the visiting officers, and attending all meetings with post officials;

(5) Ensuring the detachment commander has familiarized newly assigned MSGs with the equipment and duties of a post prior to their standing watch alone;

(6) Ensuring security implications are reviewed and addressed for social activities sponsored by the detachment or held at the MSG residence;

(7) Keeping the detachment commander informed of pertinent threat information and any proposed changes which might affect the MSGs' work or living conditions;

(8) Seeking and considering the detachment commander's views on matters which may affect the detachment;

(9) Drafting all guard orders and contingency plans;

(10) Ensuring MSGs are familiar with guard orders and contingency plans;

(11) Representing MSG detachment interests and concerns at country team meetings, at emergency action committee meetings, and with post senior management; and

(12) Ensuring that the MSG personnel who marry or plan to marry during their tour as a MSG are reported to DS/OP/MSG and that all such matters are handled in accordance with the current MOA (12 FAM 431 Exhibit 431B).

12 FAM 433.2 Implementing Guard Orders

(TL:DS-39; 8-15-94)

The RSO drafts and endorses all MSG orders and contingency plans which state the specific duties to be performed by the Marine security guards. Upon obtaining chief of mission or principal officer approval, the RSO issues them to the detachment commander for implementation and provides a copy to the company commander. (See 12 FAM 436 .)

12 FAM 433.3 Inappropriate Assignments

(TL:DS-39; 8-15-94)

a. The RSO and detachment commander must ensure MSGs are not assigned to duties outside U.S. diplomatic property except as provided under 12 FAM 433.4 . S/OP/MSG will coordinate any approvals with the MSG Battalion.

b. The RSO and detachment commander will ensure Marines are not assigned as receptionists, couriers, mail clerks, vehicle dispatchers, switchboard operators, janitors, or any other duties that detract from their officially designated duties as approved by the MOA. Exceptions require prior approval from both DS/OP/MSG and Marine Security Guard Battalion.

c. The RSO and detachment commander must ensure MSGs are not charged with the responsibility of supervising civilian guards, although MSGs may on occasion direct civilian guard actions to ensure established security procedures are followed, e.g., in screening or searching procedures for visitors or vehicles.

d. Although the detachment commander may assist the RSO insofar as primary duties and capabilities allow, the RSO will ensure the detachment commander is not charged with the responsibility for any of the following:

(1) Investigative activities (which does not preclude those expressly authorized by the company or Battalion Commander under the provisions of the Uniform Code of Military Justice);

(2) Security briefings;

(3) Control of combinations to vaults and safes containing classified material;

(4) Repair to security locks and containers; or

(5) Other post activities apart from the detachment's mission.

12 FAM 433.4 Special Duty Assignments

12 FAM 433.4-1 Principal Officer Protection

(TL:DS-39; 8-15-94)

a. Where the life or safety of any post's principal officer is in danger and no other adequate means of protection is available, the RSO may assign MSGs to provide temporary security within that official's residence.

b. The RSO will ensure MSGs are armed and ensure they are not assigned to perform service functions which would normally be accomplished by household or mission staff.

c. The RSO will write the duties and responsibilities of the assigned Marines into the guard orders. The specific orders will define the MSG's course of action in the event of an attempted, threatened, or actual penetration of the residence. The RSO must provide a copy of the orders to DS/OP/MSG and the respective company commander.

d. The RSO must report the circumstances requiring residential MSG coverage and the expected duration to DS/OP/MSG in writing. DS/OP/MSG will ensure the written report is sent to the Commanding Officer, Marine Security Guard Battalion.

12 FAM 433.4-2 Post Evacuation

(TL:DS-39; 8-15-94)

The RSO will assign MSGs to such duties as may be directed by the principal officer for the protection of lives and property in the event of a post evacuation. As stated in the MOA, Marines will continue to carry out such duties until the principal officer releases the Marines.

12 FAM 433.4-3 Conferences and Delegations

(TL:DS-39; 8-15-94)

As directed by DS/OP/MSG, the RSO assigns Marines to provide special guard services for U.S. delegation offices for Department regional or international conferences when an armed guard must safeguard material or equipment which is classified pursuant to Executive Order 12356 and which cannot be stored overnight in a guarded facility of the U.S. mission. In situations where the arming of Marines is absolutely prohibited by host government policies or law, the RSO may still assign Marines to safeguard classified material on an exceptional basis only after notifying MSG Battalion through DS/OP/MSG.

12 FAM 433.4-4 Dignitary Protection

(TL:DS-39; 8-15-94)

The RSO will assign Marines to provide security support for visits by the President, Vice-President, Secretary of State or other senior U.S. Government officials as required. Where additional personnel are required, the RSO will contact DS/OP/MSG to arrange for additional, temporary duty MSGs.

12 FAM 433.4-5 Circumstances Requiring Immediate Action

(TL:DS-39; 8-15-94)

a. The RSO, with the approval of the chief of mission or principal officer, may assign duties other than those previously described in this section to the Marines as may be required by urgent or security-related circumstances which require immediate action. Such duties shall not contravene established Department or Marine Corps policy and shall not unduly jeopardize the safety or well-being of any Marine.

b. The RSO must immediately notify DS/OP/MSG and apprise the company commander of the circumstances requiring the exceptional duty. DS/OP/MSG then informs Marine Security Guard Battalion and requests concurrence for those particular duty assignments which will continue.

12 FAM 433.5 Disciplinary Actions

(TL:DS-39; 8-15-94)

a. The Marine Corps has sole responsibility for disciplinary authority over all MSGs. The RSO should apprise the detachment commander of MSG infractions or other situations requiring possible disciplinary or corrective action. However, under circumstances requiring immediate action, where the detachment commander is unavailable, a RSO may relieve a MSG of duty pending the result of the Marine Corps investigation and/or disciplinary action.

b. Post personnel should report all incidents which may have security implications to the RSO. Where a MSG is involved, the detachment commander notifies the company commander. The RSO coordinates any investigation in such cases.

c. The RSO will use DS Channel communications to report MSG disciplinary actions to DS/OP/MSG (see section 12 FAM 422.4-3). The report should include a brief description of the incident and comments or recommendations as appropriate. Also inform the DS/DSS legal assistant where legal advice is required or legal actions are anticipated, e.g., in MSG altercations with foreign nationals. The DS/DSS legal assistant will coordinate responses involving legal issues with the Office of the Legal Advisor (L).

d. The chief of mission and company commander each has the authority to transfer a Marine from a given post for disciplinary reasons. Such a decision to transfer should be made in consultation with the RSO.

12 FAM 434 PROGRAM REQUIREMENTS

12 FAM 434.1 Activating, Deactivating, or Modifying an MSG Detachment

(TL:DS-39; 8-15-94)

Upon agreement between the respective regional bureau and DS/DSS/OP that an MSG detachment may be required, modified, or deactivated at a Foreign Service post, refer to the procedures at section 12 FAM 437 .

12 FAM 434.2 Documentation

(TL:DS-39; 8-15-94)

All Marines assigned to the Marine Security Guard Program require passports to travel abroad in support of the program. Direct all requests for passports to the Bureau of Consular Affairs, Passport Services (CA/PPT), for issuance of diplomatic or official passports as appropriate.

12 FAM 434.3 Security Clearances

(TL:DS-39; 8-15-94)

a. DS/OP/MSG will track the status of security clearances based on background investigations of MSGs conducted by the Department of Defense in accordance with the MOA (12 FAM 431 Exhibit 431B).

12 FAM 434.4 MSG Assignments

(TL:DS-39; 8-15-94)

DS/OP/MSG reimburses the Marine Corps based on the average cost for all assignments and transfers of enlisted personnel for the MSG Program. (See 12 FAM 431 Exhibit 431B .

12 FAM 434.5 Training

(TL:DS-39; 8-15-94)

a. The Office of Professional Development (DS/EX/PLD) schedules:

(1) Training for DS special agents assigned as RSOs to posts having MSG detachments;

(2) Training for post security officers assigned to posts having MSG detachments;

(3) Briefings about the MSG Program for Department personnel with security-related responsibilities assigned to posts having MSG detachments; and

(4) Orientation briefings for spouses of newly assigned detachment commanders and company officers.

b. DS/EX/PLD ensures that Marine Corps officer and enlisted personnel assigned to the MSG Program, with the exception of those assigned to MSG Battalion Headquarters and Marine Corps Headquarters, complete an established course of training. Each year, the Chief of the Development and Training Division (DS/PLD/DTD) and the Chief of the MSG Program, or their designees, review the course curriculum with MSG Battalion representatives. Any proposed changes require DS/PLD/DTD concurrence to become effective.

c. DS/EX/PLD will provide advice, guidance, and instructional support to the MSG school relating to the MSG Program. DS/OP/MSG may provide guidance, advice, and instruction as necessary to support DS/EX/PLD.

d. DS/OP/MSG reimburses the USMC for travel and per diem related to orientation briefings for spouses of newly assigned detachment commanders and company officers on an average-cost basis which is mutually agreed upon prior to each fiscal year.

e. MSGs are entitled to participate in post language programs. The RSO and detachment commander will ensure all MSGs participate in language training within the constraints of operational commitments. (See 12 FAM 431 Exhibit 431B .)

12 FAM 434.6 Clothing

(TL:DS-39; 8-15-94)

a. Except where the chief of mission makes an exception due to the political situation or other factors, Marines wear the prescribed Marine Corps uniform while on duty. The USMC provides the uniform clothing. (See 12 FAM 431 Exhibit 431B .)

b. DS/OP/MSG reimburses the Marine Corps for civilian clothing allowances given to all enlisted MSG personnel assigned to MSG detachments at Foreign Service posts at a rate determined by the Marine Corps in accordance with the current MOA (12 FAM 431 Exhibit 431B).

c. In addition, a MSG transferred as the result of program needs to a post with a climate requiring substantially different clothing than the clothing required at the Marine's previous post of assignment may receive a supplemental clothing allowance. DS/OP/MSG reviews Marine Corps payments for supplemental allowances and funds reimbursements where appropriate at a fixed rate jointly determined by DS/OP/MSG and MSG Battalion.

12 FAM 434.7 Weapons

12 FAM 434.7-1 Official Duty

(TL:DS-39; 8-15-94)

a. The chief of mission or principal officer is the final authority regarding weapons in the host country. Since MSGs may be required to use deadly force, it is the policy of the Department of State and the Marine Corps that MSGs will be armed while on post and while on the property of a U.S. diplomatic mission or consular post. The chief of mission or principal officer must report any exceptions to this arming policy to the:

(1) Director, DS/DSS/OP (the Director, DS/DSS/OP will then inform the Director, Diplomatic Security Service, who chairs the DS Firearms Policy Review Board (section 12 FAM 022.3));

(2) Director of Operations (PO), Marine Corps Headquarters; and

(3) Commanding Officer, MSG Battalion.

b. The RSO will ensure that MSGs are armed only with officially designated DS or Marine Corps weapons which the DS Firearms Policy Review Board has approved. In emergencies, the RSO may request the Director, DS/DSS/OP to authorize special weapons, ammunition, equipment, and appropriate training for the MSG detachment. The Director, DS/DSS/OP, will coordinate all such requests with DS/CIS and DS/DSS for approval.

12 FAM 434.7-2 Familiarization Firing

(TL:DS-39; 8-15-94)

To maintain proficiency, Marine security guards will fire their assigned weapons every six months. This familiarization firing should be conducted at post of residence. Where this is proscribed or not possible, the RSO will request funding from DS/OP/MSG to cover anticipated travel and per diem costs to fulfill this requirement at the most economical location for the U.S. Government (see section 12 FAM 435.4). An RSO should oversee and assist with all familiarization firing.

12 FAM 434.7-3 Living Quarters

(TL:DS-39; 8-15-94)

a. No one may maintain any privately owned firearm in MSG quarters. The MOA (12 FAM Exhibit 431B) precludes any Marine assigned to post from purchasing, receiving, or maintaining any privately-owned firearm at post.

b. No U.S. Government firearm may be maintained in MSG living quarters unless all of the following circumstances apply:

(1) The RSO determines the security situation warrants authorizing firearms in quarters;

(2) No alternative security resource is available;

(3) The chief of mission or principal officer authorizes the action as temporary;

(4) The Commanding Officer, MSG Battalion, concurs;

(5) The Director, DS/DSS/OP, approves and obtains concurrence from the DS Firearms Policy Review Board;

(6) The RSO determines and establishes safeguards, subject to DS/OP/MSG revision, to preclude unauthorized access to such firearms; and

(7) The RSO reports safeguards in writing to DS/OP/MSG.

12 FAM 434.8 Funding Accountability

(TL:DS-39; 8-15-94)

The Financial Management Division (DS/PPB/FMD) processes all obligations of MSG Program funds authorized by DS/OP/MSG.

12 FAM 434.9 Threat Counteraction

(TL:DS-39; 8-15-94)

a. DS/OP/MSG prescribes reduced tour lengths for MSG personnel assigned to posts designated by the Department as being in high and critical human intelligence threat countries as a measure to counteract that threat. The Office of Intelligence and Threat Analysis (DS/DSS/ITA) compiles and issues the individual threat designations of posts as the Department's Composite Threat List.

b. DS/OP/MSG funds travel and per diem (see section 12 FAM 435.4) to another location for a period of relaxed duty for MSGs assigned to posts designated by the Department as high or critical human intelligence threat posts as a measure to counteract that threat. The RSO schedules one such temporary duty assignment, referred to as special temporary additional duty (special TAD), for each MSG at post for each 6 months of assignment. DS/OP/MSG may limit the number of participating posts or the frequency of special TADs based on available funds or particular conditions at post (see section 12 FAM 431.2 (b)).

c. The special TAD must be taken in a non-designated country. For participating posts, DS/OP/MSG will specify the location for the special TAD, but may approve other locations provided the individual Marine pays any additional costs involved.

d. To conserve U.S. Government funds, RSOs should attempt to combine special TADs with familiarization firing (section 12 FAM 434.7-2) or, if approved by the respective company commander, with other periods of Marine training or processing. In such instances, the special TAD period will begin after all other actions are completed.

12 FAM 435 POST RESPONSIBILITIES

12 FAM 435.1 Diplomatic Status

(TL:DS-39; 8-15-94)

Post will notify the receiving host government that the Marine is, at a minimum, a member of the “administrative and technical staff of the embassy,” if assigned to an embassy, or a “consular employee” if assigned to a consular post. Where Marines are not so accredited, post will promptly report the reason to the Director of Operations (PO), Marine Corps Headquarters through DS/OP/MSG. (See 2 FAM .)

12 FAM 435.2 Marine Offices

(TL:DS-39; 8-15-94)

a. DS/OP/MSG funds start-up costs for offices for newly activated detachments to include equipment, furniture, and supplies necessary to their operation.

b. Start-up costs for newly activated or relocated company headquarters are apportioned between the Department of State and the Marine Corps as mutually agreed upon.

c. Posts to which either a MSG company commander or detachment commander is assigned will provide office space in coordination with the Office of Foreign Buildings Operations (A/FBO). Posts will fund recurring costs for equipment, furniture, and supplies necessary to their operation. (See 6 FAM.)

12 FAM 435.3 MSG Housing

(TL:DS-39; 8-15-94)

a. DS/OP/MSG funds all start-up costs for the activation of new detachments to include, e.g. the lease for the first year, furniture, furnishings, and supplies required to obtain and prepare the Marine house for occupancy.

b. Each post is responsible for acquiring and providing the fully furnished quarters for eligible MSG personnel and for recurring costs after the activation in accordance with 6 FAM.

c. The post will pay a temporary lodging allowance (TLA) as authorized by the Joint Federal Travel Regulations to an assigned MSG who must await assignment to the fully furnished Marine quarters (see 4 FAM).

d. Where post housing is unavailable, post will pay a housing allowance and subsistence in accordance with 4 FAM to those MSG personnel eligible for such payments as provided for in the MOA (12 FAM431 Exhibit 431B).

12 FAM 435.4 Travel and Transportation

12 FAM 435.4-1 General

(TL:DS-39; 8-15-94)

a. All travel, transportation, and per diem expenses of Marine Corps personnel and their dependents incurred under Marine Corps, Department of State, or post travel orders must be processed in accordance with the applicable sections of 4 FAM. Post charges these costs to either the Marine Corps or the Department in accordance with 4 FAM.

b. Posts assist MSG personnel in obtaining any necessary exit and transit visas for travel to their next assignment and for any other travel authorized under the provisions of this subchapter.

12 FAM 435.4-2 Official

(TL:DS-39; 8-15-94)

a. The RSO informs DS/OP/MSG of the estimated costs for MSG travel in conjunction with familiarization firing (section 12 FAM 434.7-2) and special TADs (section 12 FAM 434.8) prior to each fiscal year. DS/OP/MSG will determine funding levels within available resources for those approved posts and request the Financial Management Division (DS/PPB/FMD) to authorize and provide allotments for posts to fund associated travel and per diem costs.

b. Other travel of enlisted MSGs for temporary duty, including international conferences or detachment commander workshops, requires DS/OP/MSG approval. If approved, DS/OP/MSG requests DS/PPB/FMD to provide fiscal data for posts to issue travel orders to cover the temporary duty.

12 FAM 435.4-3 Medical

(TL:DS-39; 8-15-94)

a. Where the Department's regional medical officer or designee at post determines that local facilities are inadequate for medical or emergency dental care for enlisted MSGs or their eligible dependents, the principal or administrative officer will determine the nearest location of adequate facilities in accordance with 3 FAM , and authorize the round-trip travel between post and that location.

b. See 3 FAM for travel of an attendant or dependents to accompany an individual authorized travel and per diem under paragraph a of this section.

c. The Office of Medical Services (M/MED) funds authorized expenses for travel and per diem related to medical care. (See 4 FAM .)

d. The transportation of unaccompanied personal property in connection with medical travel between posts and medical facilities abroad is not authorized.

12 FAM 435.5 Vehicles

12 FAM 435.5-1 MSG Detachments

(TL:DS-39; 8-15-94)

a. The Office of Supply and Transportation (A/OPR/ST) provides new detachments with one vehicle funded by DS/OP/MSG for official duties and training. A/OPR/ST/S/MV funds and provides all subsequent replacement vehicles (see 6 FAM).

b. The vehicle will remain within an area determined and specified by the RSO to ensure a quick response capability 24 hours per day, seven days per week. Post should provide 24 hour-per-day driver support for the designated MSG vehicle.

c. The Department prefers the use of local employee chauffeurs to transport MSGs. However, where post-provided driver support is limited or not possible, the principal officer or designee may authorize the operation of U.S. Government-owned vehicles by MSGs for trips in connection with official duty. In such cases, post will ensure that all MSG drivers:

(1) Possess a valid U.S. Government operator's permit;

(2) Possess a valid host government driver's permit;

(3) Are qualified to operate the designated vehicle; and

(4) Are thoroughly familiar with local traffic laws. Refer to the Departmental Safety, Occupational Health, and Environmental Resource Guide for motor vehicle safety information (6 FAM).

d. 6 FAM covers post responsibilities relating to the repair and maintenance of the MSG-designated vehicle and any insurance requirements. Each post provides an alternate vehicle as necessary where the designated vehicle is not operational to minimize any interruption in the detachment's quick response capability.

e. For group recreational purposes within the quick response area, the detachment should use the designated vehicle. Where group recreation requires transportation for MSGs outside the quick response area, the post should provide an alternate vehicle and driver, if available, from motor pool resources (see 6 FAM).

12 FAM 435.5-2 Company Headquarters

(TL:DS-39; 8-15-94)

a. Post supports official transportation requirements for MSG company headquarters personnel from existing motor pool resources on an as needed, if available, basis (see 6 FAM).

b. If existing motor pool resources are inadequate to support a newly established MSG company headquarters, post submits a fleet increase request to A/OPR/ST/S/MV for review (see 6 FAM). A/OPR/ST/S/MV notifies DS/OP/MSG and, if A/OPR/ST/S/MV approves the request, DS/OP/MSG funds the cost of one additional vehicle. A/OPR/ST/S/MV funds all subsequent replacement vehicles (see 6 FAM).

c. This vehicle is in addition to any described in the previous subsection concerning detachments. It is assigned to the general motor pool for the use of all officers or employees having need of vehicles for official purposes, including MSG company headquarters personnel (see 6 FAM).

12 FAM 435.6 Disbursements

(TL:DS-39; 8-15-94)

See 4 FAM for guidance on disbursing funds relating to authorized allowances, travel reimbursement claims, and other payments to Marine Corps personnel at post.

12 FAM 435.7 Department of State Awards

(TL:DS-39; 8-15-94)

a. The Secretary's Award and the Award for Valor may be presented to Marine Corps personnel assigned to the Marine Security Guard Program at post in keeping with the criteria outlined in 3 FAM .

b. Letters of commendation signed by the chief of mission or principal officer should be addressed to:

Commandant of the Marine Corps

Washington, D.C. 20380

Send a copy to the Department (DS/DSS) and to the company commander.

12 FAM 436 DEVELOPING MSG ORDERS

12 FAM 436.1 Scope and Content

(TL:DS-39; 8-15-94)

a. The RSO may cancel, revise, or draft guard orders as needed to maintain or improve MSG protection in accordance with the provisions of the current MOA and section 12 FAM 433.2 .

b. The RSO shall ensure that the written orders address MSG responsibilities and procedures in:

(1) Exercising access control and providing stationary guard coverage at specified entrances within the perimeter of the mission;

(2) Employing deadly and non-lethal force;

(3) Conducting inspections within mission buildings to ensure the proper safeguarding of classified material and equipment;

(4) Writing notices of possible security violations and making security reports in accordance with Chapter 12 FAM 500 ;

(5) Escorting non-cleared laborers and other service personnel in or adjacent to controlled access areas where classified material is stored, handled, processed, or discussed;

(6) Conducting visual inspections of the controlled access areas to detect possible physical or technical penetrations; and

(7) Providing temporary control of controlled access areas during renovations, repairs, or emergencies.

12 FAM 436.2 Special Circumstances

(TL:DS-39; 8-15-94)

a. The RSO shall also issue special orders in writing to cover specific MSG duties required in certain circumstances which require immediate action; for example, demonstrations, terrorist activities, bomb threats, threats against lives, and evacuations. These orders will include instructions concerning the protection or destruction of classified material as appropriate.

b. In urgent circumstances or circumstances which require immediate action, the RSO may verbally direct the detachment commander or an MSG as necessary to address security considerations.

c. The RSO will issue special classified orders, in writing, which will instruct MSGs how to handle persons seeking political asylum, particularly for those requests received after normal business hours.

12 FAM 436.3 Periodic Review

(TL:DS-39; 8-15-94)

The RSO will review guard orders at least semiannually, or upon request of the Marine Security Guard company commander, to ensure the orders are both accurate and current.

12 FAM 437 MSG DETACHMENT PROCEDURES

12 FAM 437.1 Activations

(TL:DS-39; 8-15-94)

a. Upon agreement between the respective regional bureau and DS/DSS/OP that an MSG detachment may be required, DS/OP/MSG will forward a preliminary notice to USMC Headquarters (POS-30) at least 90 days prior to the desired activation.

b. The RSO will conduct a joint survey at post with the regional marine company commander in accordance with the current MOA (12 FAM 431 Exhibit 431B). They will forward their findings to DS/OP/MSG and MSG Battalion respectively.

c. DS/DSS/OP will coordinate review of the findings with the regional bureau. If after reviewing the findings, DS/DSS/OP and the regional bureau both continue to agree that activation is warranted, DS/OP/MSG then coordinates clearance for the proposal by obtaining:

(1) Certification from DS/EX that start-up funding is available (DS/EX then requests formal funding approval from the regional bureau and FMP);

(2) Approval from the Assistant Secretary for Diplomatic Security through DS/DSS;

(3) Final approval from the chief of mission or principal officer through the regional bureau;

(4) Implementation approval from the executive office of the respective regional bureau which then notifies the Bureau of Administration, Office of Foreign Buildings (see 6 FAM for A/FBO responsibility concerning MSG office space and housing at post); and

(5) Authority from the Bureau of Finance and Management Policy (FMP) for the assignment of the Marine personnel (see 1 FAM).

d. Upon receipt of Department approvals, DS/OP/MSG will then coordinate the assignment of Marines to post with MSG Battalion (section 12 FAM 434.4).

12 FAM 437.2 Modifications

(TL:DS-39; 8-15-94)

a. Proposed modifications increasing or decreasing the number of Marine personnel at an existing detachment require approval from the Director, DS/DSS/OP, the chief of mission or principal officer, and the regional bureau. Proposals must include:

- (1) A description of and reason for the change in coverage;
- (2) The number of Marines involved in the proposed increase or decrease; and
- (3) The proposed billeting arrangements.

12 FAM 438 AND 439 UNASSIGNED

**12 FAM 431 Exhibit 431A MEMORANDUM OF
AGREEMENT BETWEEN THE DEPARTMENT
OF STATE AND THE DEPARTMENT OF
DEFENSE PERTAINING TO THE USE OF
MARINE CORPS PERSONNEL IN THE
FOREIGN SERVICE [Excerpt]**

THIS MEMORANDUM AGREEMENT BETWEEN THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE PERTAINS TO THE USE OF MARINE CORPS PERSONNEL IN THE FOREIGN SERVICE ESTABLISHMENT AND DERIVES ITS BASIC AUTHORITY FROM SECTION 601 OF THE ACT OF JUNE 30, 1932 AS AMENDED, 31 U.S.C. 686.

IT AUTHORIZES THE USE OF MARINE OFFICER AND ENLISTED PERSONNEL IN THE DEPARTMENT OF STATE'S SECURITY PROGRAM OVERSEAS AND AUTHORIZES THE ASSIGNMENT OF MARINE SECURITY GUARDS TO THE DIRECT OPERATIONAL CONTROL OF THE CHIEFS OF DIPLOMATIC MISSIONS, OR THEIR DESIGNATED REPRESENTATIVES.

IT RECOGNIZES THAT THE RESPONSIBILITIES OF THE DEPARTMENT OF STATE AND OF THE MARINE CORPS IN SUPPORT OF THE MARINE SECURITY GUARD PROGRAM ARE JOINT IN NATURE AND AUTHORIZES THE DEPARTMENT OF STATE AND THE MARINE CORPS TO DEVELOP, EXECUTE, AND ISSUE SUCH POLICY INSTRUCTIONS CONSISTENT WITH THE DEPARTMENT OF DEFENSE POLICY AND INSTRUCTIONS AS MAY BE REQUIRED FROM TIME TO TIME TO IMPLEMENT THIS AGREEMENT.

This agreement supersedes the previous edition dated 22 September 1955.

AUGUST 1, 1967

/s/

Under Secretary of State

/s/

Secretary of Defense

12 FAM 431 Exhibit 431B MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF STATE AND THE UNITED STATES MARINE CORPS FOR OPERATIONAL AND ADMINISTRATIVE SUPERVISION OF THE MARINE SECURITY GUARD PROGRAM

1. PURPOSE

The purpose of this Memorandum is to specify the terms, relationships, and conditions for U.S. Marines participating in the Marine Security Guard Program. It provides a statement of responsibilities of the Department of State and the Marine Corps in conducting the Marine Security Guard Program.

2. BASIS FOR SUPPORT

a. Background. The U.S. Marine Corps has participated in the internal security and protection of U.S. embassies and consulates on a formal basis with the Department of State since 1948. The program has grown from an initial 300 Marines to its current strength of more than 1400 officers and enlisted Marines assigned to the Marine Security Guard Battalion Headquarters at Quantico, Va., and to Marine security guard companies and detachments located at approximately 134 State Department missions abroad.

b. Authority. The basic authority for this Memorandum of Agreement is that section of the Memorandum of Agreement between the Department of State (DOS) and the Department of Defense (DoD) of August 1, 1967, which authorized the Department of State and the Marine Corps to jointly develop, execute, and issue such policy instructions as may be required to implement their joint responsibilities in support of the Marine Security Guard Program.

U.S. Department of State

22 U.S.C. 4804. Responsibilities of the Assistant Secretary for Diplomatic Security.

Within the authority of the Secretary of State, the Assistant Secretary for Diplomatic Security should be responsible for security and protective operations abroad to include:

- Establishment and operation of post security and protective functions abroad;
- Development and implementation of communications, computer, and information security;

- Emergency planning; and
- **Supervision of the U.S. Marine Corps Security Guard Program.** (emphasis added)

U.S. Marine Corps

10 U.S.C. 5983. State Department: Assignment of enlisted members as custodians of buildings in foreign countries.

Upon the request of the Secretary of State, the Secretary of the Navy may assign enlisted members of the naval service to serve as custodians under the supervision of the principal officer at any embassy, legation, or consulate.

c. Designation. Marines serving under this agreement will be assigned to the Marine Security Guard Program. All Marines, except those assigned to Headquarters, U.S. Marine Corps, will be assigned for duty to the Commanding Officer, Marine Security Guard Battalion, Quantico, Virginia. Marine Security Guard Battalion is designated a special support activity of the Marine Corps establishment. Those Marines assigned to Marine security guard detachments at State Department foreign missions are designated Marine security guards (MSGs) and continue to be part of the operating forces of the Marine Corps.

3. CONDITIONS FOR SUPPORT

a. Prerequisite. The Commandant of the Marine Corps provides Marine security guard detachments at Department of State posts abroad under the following conditions:

(1) The primary duty of the requested MSG detachment is to provide internal security for the chancery or principal building(s) on the diplomatic and/or consular premises. Protection of government property is not in itself adequate justification for the assignment of Marines to a post.

(2) The security of the U.S. mission to which a Marine security guard detachment is assigned is of such concern as to warrant the direct supervision of the detachment by a regional security officer (RSO), generally a trained Diplomatic Security special agent. The Department of State will make every effort to assign a regional security officer in residence to all posts where there is a Marine security guard detachment. At those missions which do not have an RSO in residence, the post security officer (PSO) will assume responsibility for and supervision of the detachment. However, the PSO will do so in consultation with, and under the guidance of, the RSO responsible for overseeing security programs at that post. The Department of State will ensure that the responsible RSO visits the post on a frequent basis to ensure the PSO's effective supervision of the detachment.

b. Limitation on the number of Marines assigned. The assignment of MSGs to DOS is authorized, but not mandated, by law. Accordingly, the Commandant of the Marine Corps is the final authority for determining the overall number of Marines authorized for the Marine Security Guard Program. Marine Security Guard Battalion, USMC, will routinely inform DS/OP/MSG of projected Marine Security Guard School class sizes, graduation dates and other manpower issues such as projected manpower shortfalls.

4. MISSION OF MARINE SECURITY GUARDS

The mission of Marine security guards is to provide security services at designated U.S. diplomatic and consular facilities to prevent the compromise of classified material and equipment and to provide protection for U.S. citizens and U.S. Government property. These detachments will be prepared to execute plans for the protection of the Foreign Service post and its personnel as directed by the chief of mission or principal officer. Under certain emergency situations defined herein, they will provide special protective services to the chief of mission or principal officer.

5. EXECUTION

a. Concept of Operations. The Marine Corps will assign Marine security guard detachments to those U.S. diplomatic and consular facilities identified by the Department of State. The Department of State will establish and exercise supervision and operational control of MSG detachments through both oral and written instructions, as appropriate. The DOS will provide for the logistical support of the detachments and their company headquarters. Mission security is the responsibility of the chief of mission or principal officer who exercises this control and supervision through the regional or post security officer. The Marine Corps, in concert with the Department of State, will select and train the Marines assigned to this program. The Marine Corps will advise the Department of State on issues concerning the proper utilization, morale, welfare, safety, conduct and appropriate living conditions of Marine security guards and will ensure that policies concerning these issues are consistent with those of the Department of Defense and the Department of State.

b. Organization for Operations.

(1) Department of State

(a) Assistant Secretary of State for Diplomatic Security (DS). The Assistant Secretary of State for Diplomatic Security is the principal officer within the Department of State who has been assigned broad supervisory responsibility for the domestic and overseas security programs, including the MSG Program. The Assistant Secretary will establish a policy framework and delegate such authority as is necessary to maintain these programs.

(b) The Principal Deputy Assistant Secretary (DAS) and Director of the Diplomatic Security Service (DS/DSS). At the direction of the Assistant Secretary and pursuant to the DAS's responsibilities for DS overseas operations, the Director (DS/DSS) may exercise the same authorities on behalf of the Assistant Secretary of State for Diplomatic Security.

(c) Director, Overseas Operations (DS/DSS/OP). The Director of Overseas Operations is the focal point and coordinator of all Diplomatic Security (DS) overseas operational security programs, including the Marine Security Guard Branch.

(d) Deputy Director, Overseas Operations (DS/OP/DD). The Deputy Director of Overseas Operations directly supervises the personnel and activities of the Marine Security Guard Branch (DS/OP/MSG), among various other DS support elements.

(e) Chief, Marine Security Guard Branch (DS/OP/MSG). The Chief, Marine Security Guard Branch, is the officer within the Office of Overseas Operations directly responsible for the management of the Marine Security Guard Program at the Department of State, liaison between the Department of State and the U.S. Marine Corps, and coordination of the day-to-day operations of the program. DS/OP/MSG assists the battalion commander in resolving situations concerning compliance with the provisions of this agreement and in resolving situations where the utilization or safety of the Marines is in question.

(f) Chief of Mission (COM) or Principal Officer. The chief of mission at U.S. posts overseas is the personal representative of the President to the country of accreditation. The COM is responsible for the direction, coordination, and supervision of all U.S. Government executive branch employees in that country (except for employees under the command of a U.S. area military commander) and shall be kept fully and currently informed of all activities and operations of the U.S. Government within that country. The COM shall ensure that all U.S. Government executive branch employees in that country (except for employees under the command of a U.S. area military commander) comply fully with all applicable directives of the mission. Mission security is the chief of mission's direct responsibility. The chief of mission will ensure the proper utilization, welfare and living conditions of the Marine security guard detachment assigned to the mission. The chief of mission has ultimate operational control of all Marine security guards assigned to his/her post.

(g) Deputy Chief of Mission (DCM). The deputy chief of mission is the principal assistant to the chief of mission and in the absence of the chief of mission assumes the duties and responsibilities of the principal officer.

(h) Administrative Officer (AO). The officer in charge of administration is responsible to the COM/DCM for all administrative services of the mission. The administrative officer will ensure that proper support for the welfare and living conditions of the Marine security guard detachment is provided by the Department of State post.

(i) Regional Security Officer (RSO). The regional security officer is the principal professional security advisor to the chief of mission. This officer determines guard requirements, advises the detachment and company commanders, post security officer and chief of mission, and makes recommendations to the Bureau of Diplomatic Security. The RSO is the immediate operational supervisor of the Marine security guard detachment and will ensure that they are assigned duties within the parameters set forth in this agreement. The RSO is responsible for the supervision, proper utilization, support, and safety of the Marine security guards and will issue both oral and written orders, instructions and directions to the detachment commander and Marine security guards. In posts where there is more than one RSO, the senior RSO, while retaining overall responsibility and authority, may delegate some authority for day-to-day operational supervision of MSG detachment activities to the deputy or an assistant RSO. However, this delegation will in no way obviate access to the senior RSO by the detachment commander, or diminish the senior RSO's responsibility for the Marine security guard program.

(j) Post Security Officer (PSO). At Foreign Service posts which do not have a resident RSO, a post security officer will be appointed as the immediate operational supervisor of the Marines. This officer will provide the guard orders, directions, and instructions for the operations of the Marines at the post, and is responsible for the proper utilization, support, and safety of the Marine security guards. Under the guidance and direction of the cognizant RSO, the PSO will carry out the duties described above for the RSO.

(2) U.S. Marine Corps

(a) Deputy Chief of Staff for Plans, Policies and Operations (PPO). DC/S PP&O, Headquarters, U.S. Marine Corps, is the officer within the U.S. Marine Corps who has been delegated broad supervisory responsibility for establishing a policy framework for the Marine Security Guard Program. This officer will delegate such authority as is necessary to maintain this program.

(b) Director of Operations (PO). The Director, Operations Division, Plans, Policies, and Operations Department, Headquarters, U.S. Marine Corps, is assigned the responsibility for establishing the policies, coordination, and supervision necessary to implement the Marine Security Guard Program within the Marine Corps. The Director of Operations will ensure that program policies and procedures are consistent with those of the Department of Defense.

(c) Head, Security/Law Enforcement Branch, Operations Division (POS). The Head, Security/Law Enforcement Branch, will assist the Director, Operations Division, on matters affecting the Marine Security Guard Program. This officer will ensure that policies within the Program are consistent with those specified by the Commandant of the Marine Corps for the employment of security forces.

(d) Head, Marine Security Forces/Marine Security Guard Section, Security/Law Enforcement Branch, Operations Division (POS- 30). The Head, Marine Security Guard Section, is the principal staff officer at Headquarters, U.S. Marine Corps, concerned with the day-to-day coordination of issues affecting the Marine Security Guard Program. This officer will monitor the overall status of the program and will interface with all Departments at Headquarters, U.S. Marine Corps, on matters concerning the Marine Security Guard Program. The Marine Security Guard Section will coordinate with the staff of the Commanding Officer, Marine Security Guard Battalion, to ensure that timely and effective support is provided to the Battalion.

(e) Commanding Officer, Marine Security Guard Battalion. The Commanding Officer, Marine Security Guard Battalion, commands the Marine Security Guard Battalion and reports to the Commandant of the Marine Corps, exercising command, less operational control, of Marines assigned to Marine security guard detachments. This officer is responsible for the training, assignment, administration, logistical support of Marine Corps unique items, and discipline of Marines assigned to the Battalion. The Commanding Officer, Marine Security Guard Battalion, commands those Marines assigned to Headquarters, Marine Security Guard Battalion, and to the Marine security guard company headquarters located overseas and is the Director, Marine Security Guard School.

(f) Commanding Officers, Marine Security Guard Companies. Commanding Officers, Marine Security Guard Companies, exercise command, less operational supervision, of Marines assigned to the Marine security detachments in their respective companies. They are responsible to the Commanding Officer, Marine Security Guard Battalion for the continued training, personnel administration, logistical support, and discipline of Marines in their companies. They will advise the regional security officers and other post management as appropriate on the proper utilization, morale, welfare, safety,

conduct, and appropriate living conditions of the Marine security guards assigned to each mission.

In accomplishing their mission, company commanders will:

1 Inspect each Marine security guard detachment under their command, usually twice annually, to ensure that the detachment is performing to the standards and regulations of the Marine Corps and the Department of State;

2 Recommend assignments and transfers to the Commanding Officer, Marine Security Guard Battalion, to meet special Department of State requirements;

3 Report to the Commanding Officer, Marine Security Guard Battalion, and advise the cognizant RSO and other post management, as appropriate, on matters pertaining to performance, discipline, administration, safety, training, morale, welfare, conduct, and living conditions of the Marine security guards;

4 Report to the Commanding Officer, Marine Security Guard Battalion, and advise the cognizant RSO and post management, as appropriate, of situations requiring corrective action, or where the utilization or safety of Marines is in question.

(g) Marine Security Guard Detachment Commanders. Marine security guard detachments will be assigned in support of U.S. diplomatic and consular missions in accordance with prerequisites and procedures identified within this agreement. A detachment commander will be assigned by the Commanding Officer, Marine Security Guard Battalion, to command and administer each Marine security guard detachment and to supervise and control Marine security guards both on and off duty. The detachment commander is responsible to the chief of mission or principal officer, through the Mission's regional or post security officer, for the effective utilization, safety, morale, conduct, and welfare of the detachment and to the commanding officer of the appropriate Marine security guard company for its effective administration, continued training, logistical support, and administration of discipline. The detachment commander will:

1 Report directly to the responsible security officer and make recommendations to the RSO or PSO for the proper utilization of the Marine security guards;

2 Execute such orders and instructions, both oral and written, as may be issued by the chief of mission, the RSO or PSO within the parameters set forth in this agreement;

3 Execute orders issued by higher Marine Corps authority within the parameters set forth in this agreement.

6. COORDINATING INSTRUCTIONS

a. Arming of Marine Security Guards. The chief of mission or principal officer is the final authority regarding weapons in country. Marine security guards may be required to use deadly force. It is the policy of the Department of State and the Marine Corps that Marine security guards will be armed while on duty. Exceptions to the arming policy must be reported by the post to the Department of State (DS), the Commandant of the Marine Corps (PO), and the Commanding Officer, Marine Security Guard Battalion.

(1) The Marines at the post will be authorized the use of appropriate force, including the application of deadly force, if necessary, in accordance with Department of State firearms regulations as promulgated in post guard orders.

(2) Marine security guards will only be armed with officially designated Marine Corps or Bureau of Diplomatic Security weapons. Weapons designated for Marine security guard use will have the concurrence of both the Marine Corps and the Department of State. Marine security guards will normally be armed with a revolver while on post. A shotgun may be used as a reinforcing weapon while on post or while responding as part of an emergency reaction force.

(3) The Department of State can provide special weapons, ammunition or equipment if requested by the regional security officer for emergency situations. Appropriate training and maintenance procedures for the use of these weapons will be provided by the Bureau of Diplomatic Security prior to these weapons or equipment being issued to Marine security guards.

(4) Maintaining U.S. Government weapons in the Marine security guard detachment living quarters may be temporarily authorized by the chief of mission or principal officer with the prior concurrence of the Marine Security Guard Battalion and Diplomatic Security when extreme security situations exist and no alternative security resource is available. Appropriate safeguards will be established by the post to preclude unauthorized access to such weapons. These safeguards will be reported in writing to the above authority. Privately-owned weapons will not be purchased, received, or maintained by Marine security guards overseas.

(5) Marine security guards will fire their assigned weapons for familiarization every six months. The Department of State will provide the fiscal and logistical support necessary to accomplish this requirement. DS will notify the USMC if funding is temporarily not available.

(6) In situations where the arming of Marines to execute the security support duties detailed in section 6.c.(7) is absolutely prohibited by host government policies or law, Marines may still be assigned to safeguard classified material. This will be done on an exceptional basis, and prior notification must be provided to DS and MSG Battalion.

b. Size of Detachment. Each Marine security guard detachment, when assigned, will have a minimum table of organization (T/O) of a detachment commander and five Marine security guard watchstanders. The size and organization of each detachment will be determined by a joint Diplomatic Security and USMC review of the specific duties expected to be performed, the size and composition of the mission, the political, military and threat conditions in the country, and the post's ability to properly support and utilize the Marines. The assignment of additional watchstanders will be based on jointly agreed upon workload factors. In the event of a drawdown of post, the Marine security guard detachment should not be reduced below the minimum manning level of one detachment commander and five MSG watchstanders.

c. Duties of Marine Security Guards. In executing the assigned mission and primary duty, the Marines:

(1) Exercise access control and provide stationary guard coverage of the chancery or principal building(s);

(2) Conduct periodic inspections within mission building(s) where classified information is stored, processed, or reviewed to ensure the proper safeguarding of classified material and equipment;

(3) Write notices of possible security violations and make security reports as Department of State security regulations direct;

(4) Perform interior escort of non-cleared laborers and other service personnel in controlled access areas (any area in which classified material is stored, handled, processed or discussed), and areas contiguous thereto;

(5) Conduct visual inspection of the controlled access areas to detect possible physical or technical penetrations;

(6) Provide temporary emergency control of controlled access areas, and areas contiguous thereto, during renovations or repairs;

(7) Provide security support for visits by the President, Vice-President, Secretary of State, Secretary of Defense and other senior U.S. Government officials as required by the Department of State. In addition, provide special guard services for U.S. delegation offices for designated U.S. Government regional or international conferences to safeguard classified material or equipment.

(8) Provide temporary internal security guard protection to the ambassador's or principal officer's residence when the life or safety of the protected official is in danger. In such instances the duties and responsibilities of the Marines will be written into guard orders and will clearly define courses of action to be taken by the Marines in the event of a threat or actual attempt to penetrate the residence. The circumstances requiring residential MSG coverage and expected duration must be reported in writing to DS and the MSG Battalion.

(9) On an exceptional basis, receive, log and temporarily store classified material that will fit into an approved security container at MSG post one (or the analogous post). Such instances will normally be reserved for non-duty hour arrivals by visitors or couriers. Classified materials thus received will be returned to the visitor or courier as soon as possible, or to the RSO on the first business day thereafter. All such material must be encased in a diplomatic pouch or securely double-wrapped.

(10) Perform other duties required by exigent circumstances (urgent circumstances which require immediate aid or action) and as directed by the chief of mission or the principal officer and RSO or PSO. Such exigent duties shall not contravene established policies and common sense or unduly jeopardize the safety or well-being of the MSGs. The Department of State (DS) and the Marine Security Guard Battalion must be notified immediately, and concurrence requested, as appropriate.

(11) Under certain circumstances, may be assigned duties on U.S. diplomatic or consular premises, but exterior to the principal buildings. These duties must specifically correlate to the MSG's primary responsibilities. When such a requirement is identified, the guard orders must explicitly define the duties and responsibilities and not subject the MSG to undue risk. However, establishment of a permanent post is subject to the joint review process as outlined in 8.a.(3). Where MSGs are required to conduct security inspections of areas not located on U.S. diplomatic property that store or process classified material, prior approval from both the RSO and the respective company commander is required.

(12) Provide special guard services in the execution of U.S. mission plans for dealing with specific emergency situations, e.g., outbreaks of violence, internal political disorders, bombs or bomb threats, threats to U.S. officials, and persons seeking asylum including:

(a) The protection of the chancery or principal building(s) as outlined in mission emergency action plans or as directed by the chief of mission or principal officer, RSO or PSO;

(b) Execution of special instructions concerning the handling of persons seeking political asylum, particularly during hours when the diplomatic or consular facility is closed.

(13) Continue to carry out such duties as may be directed by the chief of mission or principal officer, RSO or PSO, in the event of evacuation of a Foreign Service establishment. Marine security guards will perform these duties until released by the chief of mission or principal officer. At this time, the Marine security guards will be reassigned by the Commanding Officer, Marine Security Guard Battalion, after coordination with the Department of State.

d. Inappropriate Duties.

(1) Detachment commanders will not be charged with responsibility for investigative activities, except those expressly authorized by their company commander. They further will not be charged with responsibility for security briefings; controlling combinations to sensitive vaults and safes; changing combinations to or repairing security locks and containers; or entering into other post security duties which are not specified as part of their mission. They may, however, assist the responsible security officer in duties involving locks and containers insofar as their primary duties and capabilities allow.

(2) Marine security guards will not be assigned duties outside the U.S. diplomatic property, except as noted above in 6.c., sections (7), (10), (11), and (13), without prior approval of the Department of State and USMC. This is in recognition of the possible legal and diplomatic consequences and the limitations of diplomatic and consular immunities.

(3) Marine security guards will not be assigned official duties as ceremonial guards, receptionists, couriers, mail clerks, vehicle dispatchers, switchboard operators, billeting clerks, janitors, drivers or any other duties that detract from their officially designated functions without the approval of their respective company commander, except only in exigent circumstances.

(4) Since Marine security guards are prohibited from receiving compensation for off-duty employment involving duties that could be lawfully required as part of their normal duties, MSGs may only participate in off-duty voluntary employment in accordance with Marine Corps regulations and with both RSO and company commander approval.

(5) MSGs will neither be employed nor assigned duties as couriers, courier escorts, or in any other function involving the transportation of classified material. Examples of these inappropriate duties include assignment as a non-professional courier escort, post employment as a PIT courier escort, and duties involving the escort of classified material to/from VIP conference sites (6.c.(7)). Exceptions to address exceptional or exigent circumstances require both RSO and company commander approval.

e. Immunity Status.

(1) All Marines assigned to the Marine Security Guard Program abroad will be accredited to the highest possible diplomatic or consular status consistent with international law. The diplomatic mission will notify the receiving State that the Marine, at a minimum, is a member of the "administrative and technical staff" of the embassy, if assigned to an embassy, or is a "consular employee" if assigned to a consular post. It is agreed that in each case where Marines are not accredited as members of the administrative and technical staff or consular employees, that the Department of State will promptly report such instances to the Commandant of the Marine Corps together with the reasons therefore. It is the intention of both the Department of State and the Marine Corps to maintain the administrative and technical staff diplomatic immunity status or consular employee immunity status of Marines as the customary international practice. This practice affords Marine security guards abroad a protected status consistent with the risks associated with the potential use of deadly force and, in addition, sets a common standard for the status of Marines at U.S. diplomatic or consular missions.

(2) The Department of State, the chief of mission, or the principal officer of the consular post, as the case may be, will take every appropriate step, consistent with the applicable international law, to assure that all immunities from the criminal, civil, and administrative jurisdiction of the receiving State to which Marine security guard program personnel are entitled are fully honored by the receiving State. In cases not covered by immunity under international law, the Department of State, the chief of mission, or the principal officer of the consular post, as the case may be, will nonetheless make every effort to protect the interests of the Marine.

(3) All Marines assigned to U.S. diplomatic or consular missions and their authorized dependents will be issued diplomatic passports for the duration of their tour of duty, it being understood that such passports alone afford their bearers no status or immunities under international law. Diplomatic or consular status and immunities are the result of accreditation to the respective country of assignment and are operative only within the territory of that State (and to a limited extent during direct transit to and from the United States or between posts to which the individual MSG is accredited). Diplomatic passports will also be issued to select Marine personnel assigned to the MSG Battalion who are frequent travelers to overseas posts in support of the MSG Program. Diplomatic passports will be issued, based upon the recommendation of the MSG Battalion CO, subject to coordination with DS/OP/MSG and approval by CA/PPT. Passports will be recovered by the Marine Corps upon the completion of the tour of duty and returned to the Department of State.

f. Uniforms and Equipment.

(1) Marine security guards, when posted for duty, will be in the uniform officially prescribed by the Marine Corps. In extraordinary cases, the chief of mission may make exceptions to this general rule due to exceptional political conditions, and local prohibitions within the country. However, wearing of the Marine Corps uniform with the prescribed sidearm while on duty will be mandatory when there are no overriding circumstances to the contrary. The uniform to be worn will be prescribed by the CO MSG Battalion.

(2) The Marine Corps will provide the prescribed Marine Corps uniforms, ancillary equipment, and basic reaction gear to detachments, including helmets, protective masks, and body armor. The approval of the Director, DS/DSS/OP, is required before issuing security equipment other than basic Marine Corps issue equipment to an MSG.

(3) The Department of State will assume the responsibility for the cost of civilian clothing for Marine security guards assigned to posts where a uniform cannot be worn on duty or on liberty. The cost per MSG will be the current allowable rate determined by DoD INSTRUCTION 1338.18.

g. Investigations. All investigations involving MSGs or MSG matters will be conducted in accordance with agreements between DOS, Department of the Navy (DON), the Marine Corps and the Navy Investigative Service Command (NISC).

h. Guard Orders. Written guard orders approved by the chief of mission or principal officer implementing security procedures will be issued by the regional or post security officer to the commander of the Marine security guard detachment. These orders will state the duties and responsibilities to be performed by the detachment, will include specific instructions for responding to emergency situations, and will provide specific guidance for the employment of deadly force and the use of defensive weapons and equipment, among other things. These orders will be reviewed at a minimum semiannually for currentness and accuracy by the regional security officer, or upon request of the Marine security guard company commander.

i. Disciplinary Authority. The Marine Corps retains sole responsibility for disciplinary authority over all Marine security guards and will make all reports necessary for compliance with 28 U.S.C. 535, or as otherwise required by statute, regulations, or interagency agreement. Disciplinary authority and adjudication of misconduct by Marine security guards will be in accordance with the Uniform Code of Military Justice.

j. Policy Directives. Policy directives pertaining to this program, issued by either headquarters, must have the mutual concurrence of the Marine Corps and the Department of State.

7. TRAINING

a. General MSG Program. Marine Security Guard Program officers and enlisted personnel will complete an established course of training agreed upon by the Department of State and the Marine Corps. Refresher training may be provided at post by members of the Diplomatic Security Mobile Security Division.

b. Marine Security Guard School. Marines will be trained for this program in the Marine Security Guard School, Quantico, Virginia, which is a formal Marine Corps school under the direction of the Commanding Officer, Marine Security Guard Battalion. Training will follow the guidelines specified in MCO 1500.42, *Management for Marine Corps Training Institutions*. The mission of the school is to provide highly trained and qualified detachment commanders and Marine security guards who are capable of performing as security guards under the terms of this agreement. The Battalion Commander will approve for assignment only those Marines who possess the qualifications of integrity, honesty, and maturity to represent the United States overseas. In all matters pertaining to training criteria, the Chief, Development and Training Division, Office of Professional Development (DS/PLD/DTD), shall represent the Bureau of Diplomatic Security. The Chief, DS/PLD/DTD will coordinate with the Commanding Officer, Marine Security Guard Battalion in determining the curriculum for the training. The Department of State will provide professional security officers to assist in screening applicants and instructing on security subjects. The Marine Corps will provide the facilities, the basic instructors, and staff.

c. Marine Security Guard Officer Training. The Marine Security Guard Battalion will sponsor a course of at least one week in duration to be given to all Marine officers assigned to the Program, who will attend prior to serving abroad. The curriculum for the course will be determined jointly by the Marine Security Guard Battalion and the Bureau of Diplomatic Security. At a minimum, it will include instruction on the composition and function of a diplomatic or consular mission, an overview of the Department of State's worldwide security program, and a security briefing on the geographic area to which the officer is being assigned. The Bureau of Diplomatic Security will provide professional security officers to assist in instructing on security subjects and the functioning of a diplomatic mission. The Marine Security Guard School will conduct the course and Headquarters, U.S. Marine Corps, will ensure that the timing of Marine officer assignments to the Program is such that they are able to attend the course prior to assignment abroad.

d. Spouse Training. The Department of State and Marine Security Guard Battalion will sponsor a one-week orientation program in the Washington, D.C. area for spouses accompanying Marine security guard detachment commanders abroad. The cost of the program will be funded by the Marine Corps with reimbursement by the Department of State. DS will notify the U.S. Marine Corps if funding is not available.

e. Security Overseas Seminar. As part of their training, all Marine security guard personnel will attend the Department of State's Security Overseas Seminar (formerly: Coping With Violence Abroad) prior to serving abroad. The same or a similar seminar will be included in the orientation program for spouses. The Security Overseas Seminar is routinely held at the National Foreign Affairs Training Center in Arlington, Virginia.

f. Security Officer Training. Regional security officers are DS special agents who have received basic agent training, and in-service and specialized training. They must also successfully complete the RSO course prior to assignment overseas. DS officers will undergo training on the operational supervision, logistical, and administrative support of the Marine security guard detachment as part of the RSO course curriculum. Certain RSOs, as designated by DS/DSS/OP, will be certified by the DS Training Center as firearms instructors. Post security officers are given a dedicated course of instruction on their responsibilities for the supervision and leadership of the Marine security guard detachment.

g. Chief of Mission/Deputy Chief of Mission Training.

(1) Newly appointed chiefs of mission and deputy chiefs of mission will be offered instruction on the mission, functions, organization, personnel, and logistical support of the Marine security guard battalion and of the Marine security guard detachment assigned to their posts. This briefing will be conducted by the Commanding Officer, Marine Security Guard Battalion, or a designated representative at the Diplomatic Security Training Center in Dunn Loring, VA; at the Department of State Headquarters in Washington, D.C.; at the Marine Security Guard School at Quantico, VA; or at a location convenient to each chief of mission prior to the chief of mission's or deputy chief of mission's departure for post. (COMs and DCMs are routinely offered specialized seminars by the DS Training Center.)

(2) The appropriate regional bureau or Bureau of International Organization Affairs is responsible for assuring that the new chief or deputy chief of mission is scheduled to report to the Bureau of Diplomatic Security for a security briefing. The Bureau of Diplomatic Security will coordinate a convenient time and place for the Marine security guard battalion briefing.

h. Language Training. In countries where English is not the primary language, Marine security guards will be provided mission oriented language instruction designed to enable them to respond to emergency situations while on duty. The RSO and detachment commander will ensure the participation of the Marine security guards in the training within the constraints of operational commitments. Funding for this training will be provided by the Department of State. In cases where funding is not available, an informal program should be implemented in coordination with DS and Marine Security Guard Battalion. In primarily English-speaking countries where posts provide mission personnel with instruction in other commonly-spoken languages, MSGs will be afforded the same post language opportunities.

i. Designated Country Training. MSG Battalion will provide a specialized course of instruction for all MSGs assigned to posts in "Designated Countries." MSG Battalion will develop the course in coordination with DS' Counterintelligence and Special Investigations Division (DS/ICI/CAS) and the DS Training Center.

8. ADMINISTRATION

a. Procedures for activating or modifying a Marine Security Guard Detachment or Company Headquarters. To activate or modify a Marine security guard detachment or company headquarters the following procedures will be followed:

(1) Marine Security Guard Detachment

(a) The Director, Overseas Operations (DS/DSS/OP) will request in writing to the Marine Corps that they provide a Marine security guard detachment for a specific post not later than 90 days prior to the desired activation of the detachment.

(b) The regional security officer and the company commander will visit the proposed detachment site and conduct a joint requirements survey. The RSO will determine the number of posts required, the recommended date of activation, the specific duties expected of the Marine security guards; the political, military, and terrorist threat conditions in-country; a counterintelligence assessment; suitability of the proposed Marine house and detachment commander's quarters; and the mission's ability to properly support and utilize the detachment. The company commander will determine the number of watchstanders and supervisors required to staff the detachment, based on the posts required, including the guard workload factors and will advise on habitability issues regarding the MSG and detachment commander's quarters.

(c) The regional security officer and company commander will forward a consolidated proposal to the Department of State and Headquarters, U.S. Marine Corps.

(d) In the proposal review process the appropriate Department of State and Marine Corps officers will reconcile any differences and establish agreement.

(e) Any requests by the Department of State or the Marine Corps for personnel increases or decreases in existing detachments will be the subject of a joint review and will be promptly forwarded to the Chief, DS/OP/MSG and MSG Battalion for action.

(f) DS/OP/MSG will keep MSG Battalion apprised of Department of State plans to deactivate any MSG detachment.

(g) The Secretary of State has the final authority regarding detachment activation and deactivations within the constraints of the Marine Corps established manpower ceiling.

(2) Company Headquarters. Establishment of a company headquarters, or modification of the T/O of an existing one, will be coordinated with the Department of State and the chief of mission at the concerned post. Marine security guard company headquarters will be established as necessary by the Commanding Officer, Marine Security Guard Battalion after consultation with Headquarters, U.S. Marine Corps, and the Department of State. Approval authority will be obtained from the COM and the Department of State. Prior to a company headquarters being evacuated as nonessential from a Foreign Service post, the decision will be discussed and coordinated with DOS and the USMC.

(3) Joint Post Review. All Marine security guard detachments and their component posts will be jointly reviewed by the regional security officer and company commander during the Marine security guard detachment's primary semiannual inspection. This review will ensure that the needs of the mission are still being met, that such guard posts at the mission still meet the requirements specified in 8.a.(1)(b), and that there are sufficient Marines allocated by T/O to perform required duties. Any recommendations resulting from the review will be promptly forwarded to the Chief, DS/OP/MSG, and also attached to the primary semiannual inspection report.

b. Personnel Assignments.

(1) Specific post assignments for officer and enlisted personnel will be made by the Commanding Officer, Marine Security Guard Battalion.

(2) Marine security guard reassignments or transfers within the program will be restricted to:

(a) Reassignment after completion of a tour of duty at a first post;

(b) Meeting special needs of the program, e.g., emergency needs at another post, but only with prior concurrence of the Chief, Marine Security Guard Branch (DS/OP/MSG);

(c) Meeting T/O shortages when Marines are not available from the Marine Security Guard Battalion Headquarters. Such assignments must receive prior clearance by the Chief, Marine Security Guard Branch (DS/OP/MSG);

(d) Circumstances affecting the personal safety or health of the Marine or the Marine's family.

(3) Except in extreme emergency conditions, a Marine will not be transferred from a given post for disciplinary reasons without the involvement of the chief of mission or principal officer, RSO or PSO, and the company commander. Both the chief of mission and the company commander have the authority to transfer the Marine, but should do so only after appropriate consultation via the cognizant RSO. Marines relieved under these circumstances will not be reassigned to another diplomatic/consular post without the written consent of the Chief, Marine Security Guard Branch (DS/OP/MSG) and the concurrence of the Commanding Officer, Marine Security Guard Battalion.

(4) **Qualifications for assignment to posts.** The qualifications of all personnel assigned to the program will be established jointly by the Marine Corps and the Bureau of Diplomatic Security. Certain basic qualifications are listed below:

(a) The Marine Corps will ensure the certification of at least an interim Top Secret clearance for each Marine before assignment overseas. Final Top Secret clearance will normally be certified within six months. In cases where final Top Secret clearance cannot be granted within the six-month period specified, DS/OP/MSG will be provided a status of the investigation and a determination will be made at that time to retain or release the Marine from the program.

(b) All Marines will have sufficient time remaining on their current enlistment at the time of their first assignment to complete the tour length designated in the **Tour of Duty** section (8.c.) of this agreement.

(c) Subject to the determination of the Department of State, detachment commanders and designated assistant detachment commanders are authorized to have dependents accompany them on their tour overseas. Personnel assigned to the company headquarters overseas in the grade of staff sergeant and above may also be accompanied by dependents. Marines who are authorized to have dependents and who intend to marry a foreign national must inform both the company commander and the RSO at least 120 days prior to the expected date of marriage. Marriage to a foreign national after assignment to the program without Department of State and Marine Corps approval constitutes cause for relief from the Marine Security Guard Program.

(d) All Marine security guards in the grade of sergeant and below will be single when assigned overseas and will agree to remain single during their tour on this program. Marriage while on the program will disqualify the Marine for continued duty on the program.

c. Tour of Duty. Marines are normally assigned to the Marine Security Guard Battalion for: thirty-six (36) months for detachment commanders/designated assistant detachment commanders (eighteen (18) months at each of two different posts); and thirty (30) months for sergeants and below (fifteen (15) months at each of two different posts). This may be adjusted with the written advice and consent of both the Marine Corps and the Bureau of Diplomatic Security. At certain designated hardship or high threat posts, the tour of duty may be reduced to less than fifteen months, providing both the Marine Corps and the Bureau of Diplomatic Security concur. Likewise, on a case-by-case basis, MSGs may be extended in their positions based on exigent circumstances or other good cause, subject to the concurrence of the Marine Corps and the Bureau of Diplomatic Security.

d. Threat Counteraction. In those instances where a reduced tour length is prescribed at designated posts, the Department of State will authorize and fund travel and per diem costs to designated locations for a period of special temporary additional duty (special TAD) in conjunction with threat counteraction. This special TAD will consist of a specified period of relaxed duty for each six months at the post and must be taken in a country not included on the list of designated countries found in OPNAVINST 5510.1. Marines may choose to go to locations other than those specified by the Department of State, but the individual Marine will pay any difference in cost between the requested destination and the Department of State funded location. This period may be combined with other periods of training, such as FamFire, or administrative processing, if approved by the respective company commander. In these instances, the period will not begin until all administrative and/or training actions are completed. DS will notify the Marine Corps if funding is not available.

e. Medical Qualifications. Prior to the Marines' (and their dependents, as applicable) departure for a foreign post, the Marine Corps will arrange for the required physical examinations, inoculations, dental care, and any other evaluations deemed appropriate by competent medical authority in accordance with the guidelines established in NAVMEDCOM Instruction 1300.1b **(Suitability Processing for Overseas Assignment of Navy and Marine Corps Members and Their Accompanying Dependents)**.

f. Relationships and contacts with Foreign Nationals. All Marines assigned to the MSG Program overseas will report their relationships and contacts with foreign nationals in accordance with MSG Battalion instructions and guidance. MSG Battalion will ensure that the policy which it requires these Marines to follow for reporting relationships with foreign nationals of designated countries and the policy for contact reporting are each consistent with or more stringent than the Department of State's policy detailed in volume 12, subchapter 750, of the Foreign Affairs Manual.

9. LOGISTICAL SUPPORT AND FISCAL RESPONSIBILITIES

a. Quarters

(1) The Department of State will provide fully furnished U.S. Government-owned, leased, or otherwise held quarters for all single enlisted Marines.

(2) The Department of State will provide separate, fully furnished, U.S. Government-owned, leased, or otherwise held housing for detachment commanders, and company headquarters personnel in the grade of staff sergeant and above. This housing will be in accordance with published Department of State guidelines pertaining to allocation of residential space and provisions in 6 FAM.

(3) The Department of State will provide single or married unaccompanied detachment commanders separate fully furnished U.S. Government-owned, leased, or otherwise held quarters. This also applies to Table of Organization designated assistant detachment commanders who are staff non-commissioned officers. Posts with 18 or more MSGs assigned to their detachments may be authorized an assistant detachment commander billet with concurrence from the Department of State.

(4) Single enlisted Marines within detachments will normally be quartered together in a fully furnished U.S. Government-owned, leased, or otherwise held Marine House. These quarters will include adequate single bedrooms with sufficient storage for clothing. The common living spaces will be sufficient in size to accommodate the entire detachment, as well as a reasonable number of guests. Housing will, at a minimum, conform to the standards prescribed in the Office of Foreign Buildings manual on the Marine Security Guard Quarters Building Program. In those instances where, due to the physical limitations of

the local environment or the requirements of operational security, the Marine House cannot in good faith meet or be made to meet the prescribed standards, the company commander is authorized to make an exception to the required MSG housing requirements. This exception will be revisited annually by the company commander, RSO and other post officials.

(5) The Department of State will provide for all maintenance and utilities for the Marine House and grounds. Additionally, the Department of State will provide all furnishings as required by 6 FAM, e.g., complete furnishings, glassware, tableware, kitchen utensils, table linens, bed and bath linens, cooking and cleaning gear, light bulbs, and potable water.

(6) Posts will provide single enlisted Marines assigned to MSG company headquarters as company clerks with the same type of basic flatware, glassware, china, kitchen utensils, cookware, bed linens, and towels provided to the consolidated MSG quarters.

(7) DOS will provide, to the extent possible, assistance to MSG detachments in drafting contractual agreements with local nationals in the hiring of domestic help.

(8) Basic Allowance for Quarters (BAQ) and Overseas Housing Allowance (OHA):

(a) The Department of State will assume the obligation for payment of BAQ and OHA for all single Marines and married Marines accompanied by dependents when U.S. Government-owned, leased, or otherwise held quarters are not provided.

(b) The Marine Corps will assume the obligation for payment of BAQ for married Marines who are not accompanied by dependents.

(c) The Department of State will assume the obligation for payment of OHA for married Marines who are not accompanied by dependents and not provided government quarters.

(d) Payment for BAQ will be as authorized in the DoD Pay Manual. Payment for OHA will be in accordance with that authorized in the Joint Federal Travel Regulations, Volume I.

b. Subsistence.

(1) The Department of State will provide subsistence in kind for all single enlisted Marines, including those assigned to company headquarters, as well as married staff noncommissioned officers who are not accompanied by dependents.

(2) Basic Allowance for Subsistence (BAS)

(a) The Department of State will assume the obligation for payment of BAS for all single enlisted and married enlisted Marines not accompanied by dependents when subsistence in kind is not available.

(b) The Marine Corps will assume the obligation for payment of BAS for all enlisted Marines accompanied by dependents and for all commissioned officers.

(c) Payments for BAS will be as authorized in the DoD Pay Manual.

c. Cost of Living Allowance (COLA). The Department of State will assume the obligation for payment of the COLA as authorized by the Joint Federal Travel Regulations, Volume I, for all unaccompanied enlisted Marines. The Marine Corps will assume the obligation for payment of the COLA authorized by the Joint Federal Travel Regulations, Volume I, for all accompanied personnel.

d. Temporary Lodging Allowance (TLA). The Department of State will assume obligation for payment of any TLA incident to the assignment of a Marine to an overseas Marine security guard post as authorized by the Joint Federal Travel Regulations, Volume I.

e. Travel and Transportation.

(1) **Transportation.** Travel arrangements of Marines to their initial post will be arranged by the Marine Corps prior to arrival at post. The post transportation officer will arrange all subsequent travel. All transfers will make use of the most economic air transportation, including military air transportation services, special military rates as are available from commercial airlines, or USG contract air carriers, where available. All travel and transportation allowances for Marines from their last permanent duty station to their initial post, including any temporary additional duty cited in the orders, will be completely funded by the Marine Corps. The Marine Corps will be reimbursed on an average cost basis by the Department of State. The average cost will be reviewed annually and jointly determined by the Marine Corps and the Department of State. Each post will liquidate all Marine security guard temporary additional duty travel claims at its local budget and fiscal office.

(2) **Assignment and Transfers.** Enlisted Marine security guard per diem expenses and travel costs (including accompanied and unaccompanied baggage in accordance with authorized weight limitations as prescribed in the Joint Federal Travel Regulations, Volume I) from Washington, D.C., to the Department of State post of assignment are chargeable to appropriation "Military Personnel-Marine Corps," subject to reimbursement by the Department of State. This includes initial assignment, reassignment within the program, and

the return to the new duty station or Washington, D.C. (whichever is nearer) upon completion of tour.

(3) **Temporary Duty Assignments**

(a) When authorized by the Department of State, travel and per diem expenses for temporary duty assignments within the program are chargeable to the Department of State or other using agency as appropriate and as directed in each instance by the Department of State.

(b) In accordance with Department of State regulations, travel advances will be limited to 80% of the maximum allowance. Travel vouchers will be submitted within five days of completion of the temporary duty assignment.

(4) **Medical/Dental Travel**

(a) **Medical.** Where local medical facilities are not adequate, travel and per diem costs for medical care of Marine security guards and their authorized dependents and medical attendants (if required) are chargeable to the Department of State at the post of assignment. The Department of State regional medical officer and/or his/her designated medical representative at post will determine the nearest destination where adequate military or civilian facilities are located.

1 Per diem is authorized for Marine security guard dependents and their designated attendants, if required, in accordance with Volume I of the Joint Federal Travel Regulations Chapter (5), Part (c), Paragraph U5240, subparagraph (G).

2 In the case of obstetrical delivery, the dependent will be provided travel to the nearest suitable private or military hospital, as determined by the Department of State Office of Medical Services, and return to the post of assignment. DS will reimburse the regional bureaus for the return travel of newborn dependents. In the event further evacuation to the United States is necessary, the post of assignment, or Defense facilities arrange for onward transportation to the United States from overseas hospitals. The Department of State pays transportation and per diem during travel in accordance with the Joint Federal Travel Regulations Chapter (5), Part (c), Paragraph U5240, subparagraph (G).

(b) **Dental.** Where local dental facilities are inadequate, travel for required and emergency dental care, as defined in 3 FAM, for Marine security guards and their authorized dependents, will be handled in the same manner as medical care. If adequate local dental facilities are not available, evacuation will be provided to the nearest adequate dental facility, as determined by the Department of State Office of Medical Services. Per diem will be funded by DOS in accordance with Paragraph 9.e.(4).(a)1 above.

(5) **Travel for Emergency Leave.** Travel by government air only for emergency leave to port of entry of the United States is chargeable to the Marine Corps, except when such travel involves another permanent duty assignment. In the latter instance, this travel is a transfer under terms of Paragraph 9.e.(2) above.

(6) **Emergency Evacuation Travel.** Emergency evacuation travel, including the movement of emergency personal effects and allowances for Marines and their dependents while en route to, at, and returning from the temporary location (safehaven) or designated place is chargeable directly to the Department of State.

(7) **Travel of Dependents.** Travel of dependents of married staff non-commissioned officers is chargeable to the Marine Corps for assignments and return from duty. Transportation of their household effects is also chargeable to the Marine Corps. Additionally, the Marine Corps will defray the transportation costs for dependents while serving on this duty, provided the Marine is otherwise entitled to such payments by current Department of Defense regulations.

(8) **Travel for Marine Corps Matters.** Temporary additional duty travel and per diem expenses of enlisted Marine security guards, performed in connection with Marine Corps matters, are chargeable to the DoD appropriation "Operation and Maintenance- Marine Corps."

f. Payment.

(1) **Rates of Payment.** All expenses for per diem, travel, and transportation allowances for Marine Corps personnel and their dependents shall be paid in accordance with rates contained in the Navy Comptroller Manual and current instructions in the Joint Federal Travel Regulations, Volume I.

(2) Payment of allowances listed in Paragraph 9, including leave rations for all single enlisted Marines and married unaccompanied detachment commanders and assistant detachment commanders, is the responsibility of the Department of State's local financial management officer at the post to which the Marine is assigned or joined, as appropriate, or the regional finance center when there is no financial management officer located at the post to which assigned.

g. Specific Support, Administrative, and Fiscal Responsibilities of the Department of State.

(1) **Office for Company Headquarters and Detachment Commanders.** DOS posts to which Marine security guard battalion company commanders and their staffs are assigned are responsible for providing adequate office space, office supplies and equipment, telephone services for official use, and expendable supplies for company headquarters operation. Office space,

equipment and expendable supplies will also be furnished by each post for the detachment commander. Posts supporting a detachment commander's office or a company headquarters office will also provide those offices with postage, or other means generally utilized at post, for them to send official, regular mail.

(2) Civilian Clothing

(a) Civilian clothing allowance will be provided to enlisted Marines assigned to the Marine Security Guard Program overseas. This clothing allowance will be funded by the Department of State.

(b) Monetary limitations for the civilian clothing allowance will be as determined by the current edition of DoD INSTRUCTION 1338.18.

(c) The Department of State and the Marine Corps will be responsible for jointly administering the civilian clothing program. This program must be designed to achieve maximum economy to the U.S. Government.

(d) Supplementary clothing issues may be authorized for Marines who are transferred, as a result of program needs, to posts with substantially different clothing demands. Following the transfer, the gaining Marine security guard company commander is authorized to endorse the supplementary replacement issue using established Department of State climate zone and other criteria per TL:SR-445 of the Standardized Regulations. DS/OP/MSG will review all requests for supplementary clothing issues and grant approval to those meeting established regulations.

(e) Civilian clothing as required in Section 6.f.(3) of this agreement is chargeable, on a reimbursable basis, to the Department of State.

(3) Local Transportation

(a) The Department of State will provide the Marine security guard detachment with a dedicated vehicle 24-hours per day, seven days per week, to be utilized for official duties, training, and unit recreation. The vehicle will remain in a location suitable for quick response and, where applicable, will be equipped with communications into the emergency net.

(b) The Department of State will make every effort to provide dedicated driver support for the marine security guard detachment 24-hours per day, seven days per week. When the post's emergency action committee determines, in consultation with the RSO and company commander, that the 24-hour per day driver support cannot be provided, the Marine vehicle will be parked at the Marine house to enable quick response by the off-duty Marines. Marines authorized to drive USG vehicles will possess a valid U.S. license, and comply with any local licensing requirements. The post will ensure all MSG drivers are qualified to operate the designated vehicle and are thoroughly familiar with local traffic laws. The RSO and detachment commander will coor-

dinate notification of DS/OP/MSG and the company commander when they are unable to resolve any MSG self-drive issues at post that unduly jeopardize the safety of the MSGs. The post of assignment is responsible for providing liability and collision insurance in accordance with 6 FAM.

(c) Vehicle and driver requirements for unit recreational purposes and other official travel out of the quick response zone (determined by the responsible security officer) will be provided by post from available post resources.

(d) Vehicle requirements for the Marine security guard company headquarters will be provided from the motor pool of the post to which they are attached.

(4) Emergency Response Capability

(a) Threats of mob violence or other crisis contingencies require the quick response capability of off-duty Marines. Toward this end and to allow for quick emergency response, the U.S. Government-owned, leased, or otherwise held quarters provided to the Marine detachment will be as close as is reasonably feasible to the mission, taking into account all local circumstances. Detachment commanders will maintain emergency recall rosters to meet requirements for emergency response.

(b) The Department of State mission to which Marine security guard detachments are assigned will provide a telephone(s) at no cost for all Marine residences in order to ensure a quick emergency response capability. The use of the no cost telephone is limited to official calls only, and to personal calls provided that the additional expense will be borne by the individual Marine.

(c) When possible, adequate space will be provided in close proximity to MSG post number one in each chancery for the storage of and easy access to quick reaction equipment. This space will include a weapons storage safe or vault, and a clearing barrel, among other things.

(d) Where authorized or allowed by the host country, the mission will provide an alternate emergency recall system for each Marine (i.e., pagers, radios, etc.).

(5) Other Services and Benefits to Marines and their Dependents

(a) The Department of State will make available to the Marines the same sources of supply for subsistence and post exchange articles as are sponsored by the Department of State for its Foreign Service personnel. This will include any privileges enjoyed by non-diplomatic staff personnel of the Foreign Service.

(b) The Department of State will provide access to Marine security guards and their dependents for the use of unclassified Department of State diplomatic pouches for the transmission of personal mail at posts where FPO/APO services are unavailable.

(c) Members of the Marine Security Guard Program and authorized dependents accompanying them overseas will be provided full and complete medical and dental care, insofar as possible, within the existing facilities of the Department of Defense and the Department of State. If there are no adequate local medical facilities, the Marine (or the Marine's dependent) will be transported to the nearest U.S. Government or other suitable private facility. Minor dependent children and spouses may be accompanied by their sponsor, if required. Marines, regardless of location, are authorized full dental treatment. Authorized dependents, overseas, are also entitled to full dental care in and within the capabilities of U.S. Government facilities.

h. Specific Support, Administrative and Fiscal Responsibilities of the Marine Corps.

(1) Pay and Allowances

(a) **Officers.** All pay, allowances, and travel costs for officers or their dependents are chargeable to the Marine Corps, except BAQ and station housing allowances paid in lieu of quarters in kind.

(b) **Unaccompanied Enlisted Personnel.** All pay and allowances for unaccompanied enlisted personnel are chargeable to the Marine Corps, except BAQ, BAS, COLA, and station housing allowances paid in lieu of quarters in kind.

(c) **Accompanied Enlisted Personnel.** All pay and allowances, including COLA, for enlisted personnel accompanied by dependents, are chargeable to the Marine Corps, except BAQ and station housing allowances paid in lieu of quarters in kind.

(d) **All Marine Personnel.** All foreign shore pay, family separation pay, imminent danger pay, uniform maintenance pay, and any other special allowances, when authorized, are chargeable to the Marine Corps and, unless otherwise provided, will be an obligation against the appropriation "Military Personnel Marine Corps."

(e) Payment of the above is the responsibility of the Defense Finance and Accounting Service, Kansas City Center.

(2) **Dependent Education.** Cost of schooling for dependent minor children of Marine officers, detachment and assistant detachment commanders, and Marines assigned to company headquarters authorized dependents will be chargeable to the Department of Defense.

(3) **Medical and Dental Expenses.** All medical and dental expenses for Marine security guards are chargeable to the Naval Medical Command in accordance with NAVMEDCOM Instruction 6320.1A, Non-Naval Medical and Dental Care. Authorized medical care of dependents at posts which have no U.S. Government or military health facility will be covered under the CHAMPUS system as defined in DoD regulation 6010.8-R.

(a) **Marine Security Guards.** Where outside medical facilities are utilized to provide medical or dental services to Marine security guards, the care will be funded by the Department of State subject to the above reimbursement authority.

(b) **Dependents of Marine Security Guards.** Marine security guards are personally responsible for payment of charges for inpatient or outpatient care provided to their authorized dependents in civilian facilities or by civilian practitioners, subject, as appropriate, to reimbursement by CHAMPUS. MSGs are also responsible for filing CHAMPUS reimbursement claims. Where necessary to secure required or emergency medical services for MSG dependents in civilian facilities or by civilian practitioners, i.e., where guarantees of large cash payments are demanded as preconditions for provision of required or emergency medical services, posts may agree as a matter of form to be billed on behalf of Marine security guards concerned for charges incurred.

(c) No payment by the U.S. Government for dental care, whether emergency or required, is currently authorized for dependents of Marine security guards.

i. Settlement of Accounts.

(1) In cases where Marine security guards have departed the post of assignment with outstanding accounts receivable to the U.S. Government by themselves or their dependents, the Bureau of Diplomatic Security and the Marine Corps will make every effort to obtain restitution.

(2) Details concerning outstanding accounts receivable should be forwarded to the Chief, DS/OP/MSG and C.O., Marine Security Guard Battalion, Quantico, VA.

10. IMPLEMENTATION AND REVIEW

This Memorandum of Agreement supersedes all previous agreements, and will be reviewed on a biennial basis, or at the request of either party. This agreement is in force upon ratification by the designated representatives of the Marine Corps and the Department of State, whose signatures are affixed below.

For the Department of State:

Anthony C. E. Quainton

Assistant Secretary for Diplomatic Security

Date signed 3/29/94.

For the U.S. Marine Corps:

Norman E. Ehlert

Lieutenant General, U.S. Marine Corps

Deputy Chief of Staff for Plans, Policies, and Operations

Date signed 3/29/94.

